

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NEW ENGLAND CARPENTERS HEALTH
BENEFITS FUND, PIRELLI ARMSTRONG
RETIREE MEDICAL BENEFITS TRUST;
TEAMSTERS HEALTH & WELFARE FUND
OF PHILADELPHIA AND VICINITY;
PHILADELPHIA FEDERATION OF
TEACHERS HEALTH AND WELFARE
FUND; DISTRICT COUNCIL 37, AFSCME -
HEALTH & SECURITY PLAN; JUNE
SWAN; MAUREEN COWIE and BERNARD
GORTER,

Plaintiffs,

v.

FIRST DATABANK, INC., a Missouri
corporation; and McKESSON
CORPORATION, a Delaware corporation,

Defendants.

C.A. No. 1:05-CV-11148-PBS

**PLAINTIFFS' MOTION TO COMPEL MCKESSON'S 30(B)(6) WITNESS
AND TO PROVIDE MORE SPECIFIC RESPONSES TO
PLAINTIFFS' THIRD SET OF INTERROGATORIES**

Plaintiffs move to compel McKesson to provide a knowledgeable 30(b)(6) witness in response to Plaintiffs' amended deposition notice and for sanctions for McKesson's failure to comply with the Court's April 9 order. McKesson's designee was not knowledgeable about virtually any of the topics identified on the amended notice. Plaintiffs also move the Court for an order requiring McKesson to provide more specific responses to subparts 3, 5-9, 11, 13 and 14 of its Interrogatory No. 1, Third Set of Interrogatories. McKesson's voluminous response to

Plaintiffs' request that it state the basis of its affirmative defenses is so unwieldy as to be meaningless.

DATED: May 15, 2007

By /s/ Steve W. Berman
Steve W. Berman
Barbara A. Mahoney
Hagens Berman Sobol Shapiro LLP
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594

Thomas M. Sobol (BBO#471770)
Hagens Berman Sobol Shapiro LLP
One Main Street, 4th Floor
Cambridge, MA 02142
Telephone: (617) 482-3700
Facsimile: (617) 482-3003

Jeffrey Kodroff
John Macoretta
Spector, Roseman & Kodroff, P.C.
1818 Market Street, Suite 2500
Philadelphia, PA 19103
Telephone: (215) 496-0300
Facsimile: (215) 496-6611

Marc H. Edelson
Hoffman & Associates
45 West Court Street
Doylestown, PA 18901
Telephone: (215) 230-8043
Facsimile: (215) 230-8735

Kenneth A. Wexler
Jennifer Fountain Connolly
Wexler Toriseva Wallace LLP
One North LaSalle Street, Suite 2000
Chicago, IL 60602
Telephone: (312) 346-2222
Facsimile: (312) 346-0022

George E. Barrett
Edmund L. Carey, Jr.
Barret, Johnston & Parsley
217 Second Avenue, North
Nashville, TN 37201
Telephone: (615) 244-2202
Facsimile: (615) 252-3798

CERTIFICATE PURSUANT TO LOCAL RULE 7.1

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that counsel for Plaintiffs conferred with counsel for Defendant and were not able to agree on the issues addressed by this motion.

/s/ Steve W. Berman
Steve W. Berman

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party through the Court's electronic filing service on May 15, 2007.

/s/ Steve W. Berman
Steve W. Berman

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Defendants.

C.A. No. 1:05-CV-11148-PBS

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION TO COMPEL
APPEARANCE OF MCKESSON'S 30(B)(6) WITNESS AND TO PROVIDE MORE
SPECIFIC RESPONSES TO PLAINTIFFS' THIRD SET OF INTERROGATORIES**

IT IS HEREBY ORDERED as follows:

1. McKesson is ordered to provide a knowledgeable 30(b)(6) witness available to be
deposed by Plaintiffs on a mutually agreeable date no later than ten (10) days from the date of
entry of this Order.

2. McKesson is ordered provide more specific responses to subparts 3, 5-9, 11, 13, and
14 of its Interrogatory No. 1, Third Set of Interrogatories, no later than five (5) days from the
date of entry of this Order.

3. McKesson shall pay all Plaintiffs' costs and fees associated with the taking of the deposition of Michelle Glasco and with bringing this motion.

4. Plaintiffs shall submit to the Court a statement of costs and fees within two (2) days of entry of this Order.

DONE this _____ day of _____, 2007.

HONORABLE ROBERT B. COLLINGS
United States District Court, Magistrate Judge

CERTIFICATE OF SERVICE

I, Steve W. Berman, hereby certify that a true and correct copy of the above document was served on the attorney of record for each party via the Court's electronic filing system this 15th day of May, 2007.

/s/ Steve W. Berman

Steve W. Berman